In addition, hereto is an attached the substitute Sequence Listing in paper and computer readable format. The paper copy and computer readable copy of the substitute Sequence Listing are the same. The substitute Sequence Listing does not include new matter.

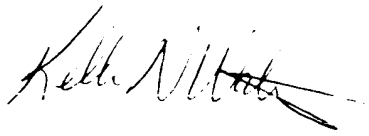
CONCLUSION

Entry of the substitute Sequence Listing and Preliminary Amendment and favorable consideration are respectfully requested.

To the extent necessary, please grant any extension of time deemed necessary for entry of this communication. Please charge any deficient fees, or credit any overpayment of fees, to Deposit Account 500417.

Respectfully submitted,

McDermott, Will & Emery



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ATTACHMENT

Version With Markings To Show Changes Made

IN THE SPECIFICATION

The second paragraph of page 6 is replaced with the following rewritten paragraph in its place.

-- In one preferred embodiment, the enhancer element comprises nucleotides 14760 to 14930 as shown in Figure 11 (SEQ ID NO.1) or a sequence which hybridi[s]zes thereto under high stringency.--

The third paragraph of page 6 is replaced with the following rewritten paragraph in its place.

-- In another preferred embodiment, the enhancer element comprises nucleotides 14760 to 15091 as shown in Figure 11 (SEQ ID NO.1) or a sequence which hybridi[s]zes thereto under high stringency.--

The last paragraph of page 6 continuing on to page 7 is replaced with the following rewritten paragraph in its place.

-- In a fourth aspect the present invention provides an isolated nucleic acid molecule, the nucleic acid molecule having enhancer activity and comprising

(a) a sequence comprising nucleotides 14760 to 14930 as shown in Figure 11 (SEQ ID NO.1), or

(b) a nucleic acid sequence which hybridi[s]zes under high stringency to the sequence defined in paragraph (a).--

The first full paragraph on page 7 is replaced with the following rewritten paragraph in its place.

-- In a preferred embodiment of the fourth aspect, the isolated nucleotide molecule comprises

(a) a sequence comprising nucleotides 14760 to 15091 as shown in Figure 11 (SEQ ID NO.1), or

(b) a nucleic acid sequence which hybridi[s]zes under high stringency to the sequence defined in paragraph (a).

The second full paragraph on page 20 is replaced with the following rewritten paragraph in its place.

-- Thus bases 14760 to 14930 are essential for PSME function, but sequences extending from 14760 to 15091, provide for much stronger enhancer activity. The sequence of the region is shown in Figure 11 (SEQ ID NO.1).

IN THE CLAIMS

Please amend Claim 9, 10, 17, 18, 26, 27, 35, 36, 45 AND 46, as follow.

9. A recombinant polynucleotide according to claim 7 in which the enhancer element comprises a sequence comprising nucleotides 14760 to 14930 as shown in Figure 11 (SEQ ID NO.1) or a sequence which hybridi[s]zes thereto under high stringency.

10. A recombinant polynucleotide according to claim 7 in which the enhancer element comprises a sequence comprising nucleotides 14760 to 15091 as shown in Figure 11 (SEQ ID NO.1) or a sequence which hybridi[s]zes thereto under high stringency.

17. A recombinant expression cassette according to claim 15 in which the enhancer element comprises a sequence comprising nucleotides 14760 to 14930 as shown in Figure 11 (SEQ ID NO.1) or a sequence which hybridi[s]zes thereto under high stringency.

18. A recombinant expression cassette according to claim 15 in which the enhancer element comprises a sequence comprising nucleotides 14760 to 15091 as shown in Figure 11 (SEQ ID NO.1) or a sequence which hybridi[s]zes thereto under high stringency.

26. An isolated nucleic acid molecule, the nucleic acid molecule having enhancer activity and comprising

(a) a sequence comprising nucleotides 14760 to 14930 as shown in Figure 11 (SEQ ID NO.1), or

(b) a nucleic acid sequence which hybridi[s]zes under high stringency to the sequence defined in paragraph (a).

27. An isolated nucleic acid molecule, the nucleic acid molecule having enhancer activity and comprising

(a) a sequence comprising nucleotides 14760 to 15091 as shown in Figure 11 (SEQ ID NO.1), or

(b) a nucleic acid sequence which hybridi[s]zes under high stringency to the sequence defined in paragraph (a).

35. A method according to claim 33 in which the enhancer element comprises a sequence comprising nucleotides 14760 to 14930 as shown in Figure 11 (SEQ ID NO.1) or a sequence which hybridi[s]zes thereto under high stringency.

36. A method according to claim 33 in which the enhancer element comprises a sequence comprising nucleotides 14760 to 15091 as shown in Figure 11 (SEQ ID NO.1) or a sequence which hybridi[s]zes thereto under high stringency.

45. A method according to claim 43 in which the enhancer element comprises a sequence comprising nucleotides 14760 to 14930 as shown in Figure 11 (SEQ ID NO.1) or a sequence which hybridi[s]zes thereto under high stringency.

46. A method according to claim 43 in which the enhancer element comprises a sequence comprising nucleotides 14760 to 15091 as shown in Figure 11 (SEQ ID NO.1) or a sequence which hybridi[s]zes thereto under high stringency.

IN THE DRAWINGS

Figure 11 is attached hereto.